

AMENDED IN ASSEMBLY MAY 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1457

Introduced by Assembly Member Davis

February 27, 2009

An act to amend Section 1599.64 of the Health and Safety Code, relating to long-term health care facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1457, as amended, Davis. Long-term health care facilities: admission contracts.

Existing law requires specified information to be included on the admission contract or abbreviated admission contract when a patient is admitted to a long-term health care facility.

This bill would add the requirement that the abbreviated contracts of admission and contracts of admission ~~include, for entities that own 5 or more long-term health care or similar facilities nationwide, for a skilled nursing facility have an attachment that discloses~~ the name of the owner ~~and licensee~~ and the name and contact information of a single entity that is ~~fully accountable~~ *responsible* for all aspects of patient care and operation at the facility.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1599.64 of the Health and Safety Code
2 is amended to read:

1 1599.64. (a) All abbreviated contracts of admission and
2 contracts of admission shall be printed in black type of not less
3 than 10-point type size, on plain white paper. The print shall appear
4 on one side of the paper only.

5 (b) The contract shall be written in clear, coherent, and
6 unambiguous language, using words with common and everyday
7 meanings. It shall be appropriately divided, and each section
8 captioned.

9 ~~(c) If the owner of the facility owns five or more long-term~~
10 ~~health care facilities or similar facilities nationwide, the abbreviated~~
11 ~~contracts of admission and contracts of admission shall disclose~~
12 ~~the name of the owner and the name and contact information of a~~
13 ~~single entity that is fully accountable for all aspects of patient care~~
14 ~~and operation at the facility.~~

15 *(c) The contract for a skilled nursing facility shall have an*
16 *attachment that is placed before any other attachment and that*
17 *shall disclose the name of the owner and licensee of the skilled*
18 *nursing facility and the name and contact information of a single*
19 *entity that is responsible for all aspects of patient care and the*
20 *operation of the facility.*

21 (d) An abbreviated contract of admission shall include a
22 statement indicating that respite care services, as defined in Section
23 1418.1, provided by the skilled nursing facility or intermediate
24 care facility is not a Medi-Cal covered service and can only be
25 provided by the facility on a private-pay or third-party payor basis,
26 unless the person is participating in a Medicaid waiver program
27 pursuant to Section 1396n of Title 42 of the United States Code,
28 or other respite care service already covered by the Medi-Cal
29 program.

30 (e) An abbreviated contract of admission shall specify the
31 discharge date agreed to upon admission by the skilled nursing
32 facility or intermediate care facility and the person being admitted
33 or his or her representative. This discharge date shall be binding
34 as a ground for discharge in addition to any other ground for
35 discharge pursuant to federal or state law and regulations.

36 (f) An abbreviated contract of admission shall include a
37 statement informing the person being admitted for respite care
38 services that the contract is designed specifically for the provision

- 1 of respite care services and cannot be used for any other type of
- 2 admission to the facility.

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